

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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Federal Communications Commission
Office of Secretary

In the Matter of) MM Docket No. 87-268
)
Advanced Television Systems)
and Their Impact Upon the Existing)
Television Broadcast Service)

To: The Commission

PETITION FOR RECONSIDERATION

Trinity Christian Center of Santa Ana, Inc., d/b/a Trinity Broadcasting Network ("TBN"), licensee of numerous full power and television translator stations throughout the country,^{*/} by its attorney, hereby submits its Petition for Reconsideration in response to the Commission's April 21, 1997 Sixth Report and Order in this proceeding.^{**/} TBN recognizes that the Commission has an enormous, and extremely difficult task in bringing America's free over-the-air television service into the digital age. TBN commends the Commission for its work.

TBN seeks reconsideration, however, of the overall DTV allocation scheme and the service replication requirement as specified in the Sixth Report and Order, on the grounds set forth in the Petition For Reconsideration being filed today by Sinclair Broadcast Group, Inc. In addition, and in the alternative to the Sinclair Petition, TBN requests assignment of different

^{*/} A listing of TBN's stations participating in this reconsideration are included in the attached Engineering Statement.

^{**/} FCC 97-115, 62 Fed. Reg. 26684, published May 14, 1997

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paired digital channels for certain full power facilities in order to permit the continued operation of many of its translator facilities.^{***}/

TBN'S Proposal Will Preserve as Much Translator and LPTV Service as Possible

All of TBN's translator facilities provide a diverse and unique program service-- inspirational, religious and family-oriented programming. To allow the loss of even small amounts of free service has long been held contrary to the public interest. New Jersey Public Broadcasting Authority, 74 F.C.C.2d 602, 605 (1979) (and cases cited therein); West Michigan Telecasters, Inc., 460 F.2d 883 (D.C. Cir. 1972); and Carolina Christian, 48 R.R.2d 355 (1980). While the Sixth Report and Order's implementation of DTV service sought to balance many competing interests, its disproportionately impacts, and displaces television translator and LPTV services. While translators and LPTV facilities are regulated as "secondary" facilities, it is nevertheless beyond question that they provide needed, and otherwise unavailable, free service to significant portions of the American population--particularly in rural and smaller underserved communities. To preserve as much of this important and free service to the public as possible, TBN is proposing that the paired DTV channel for those NTSC stations shown in the attached Engineering Statement be substituted with different DTV channels. These proposed substitutions will continue the service replication scheme specified in the Sixth Report and Order, but will also permit the important and diverse service now provided by TBN's translators to be accommodated.

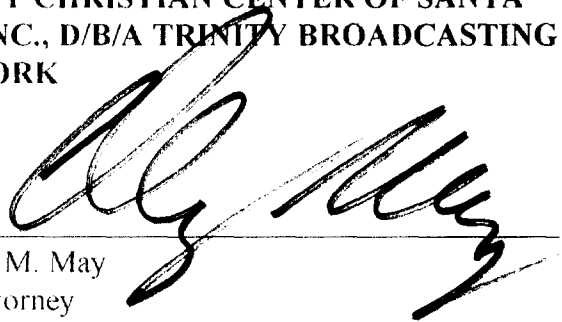
^{***}/ As shown in TBN's November 22, 1996 Supplemental Comments on the Sixth Further Notice of Proposed Rulemaking in this docket, it is the licensee of 200 television translator stations throughout the United States, and holds construction permits to build an additional 22 translators.

The attached listing of substitute paired DTV channels is based on the May 28, 1997 MST/NAB computer study, "Alternative DTV Channel Assignments in the Continental United States." These substitutions, as explained in the attached Engineering Statement will not increase instances of interference, and it is believed they will still allow the current full power NTSC facilities to locate their DTV operations within the three-mile radius of their current sites. Most importantly, it will permit a valued, existing service to remain available to the public.

Accordingly, TBN respectfully requests that the Commission reconsider its implementation of the DTV Service as articulated in the Petition for Reconsideration of Sinclair Broadcast Corp., Inc., or alternatively modify the DTV Table of Allotments to specify the paired channel allocations listed in the attached Engineering Statement.

Respectfully submitted,

**TRINITY CHRISTIAN CENTER OF SANTA
ANA, INC., D/B/A TRINITY BROADCASTING
NETWORK**

By: 
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June 13, 1997

ENGINEERING STATEMENT

ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of TRINITY BROADCASTING NETWORK ("Trinity"), licensee and permittee of more than 200 television translator facilities throughout the United States, in support of its Petition for Reconsideration of the Commission's action described in its *Sixth Report and Order* in Docket No. 87-268 regarding the implementation of digital television (DTV) service.

In this proceeding the FCC assigned DTV channels to all eligible full-service television stations in the country. However, in doing so, the Commission assigned certain DTV channels whose implementation would cause irreparable interference to or would receive such interference from existing Trinity translators.

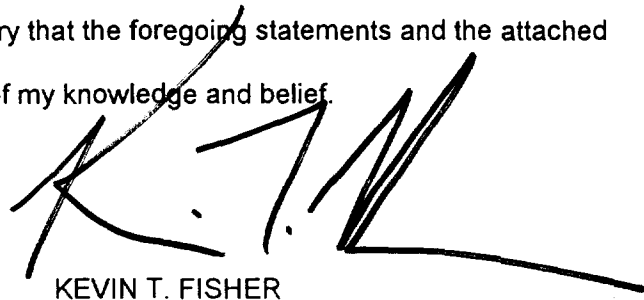
Attached hereto is a tabulation of 47 translators whose operation is mutually exclusive with one or more of the FCC's proposed DTV assignments. In the far right-hand column Trinity provides alternative DTV assignments for the full-power NTSC stations, based on the MSTV/NAB computer study, "Alternative DTV Channel Assignments in the Continental United States," dated May 28, 1997. Based upon our own studies, we believe that the alternative DTV channels listed by Trinity will not displace any authorized LPTV or TV translator facility. While we have included only one such alternative channel for each of the FCC's allotments, a number of other alternative channels for each NTSC station were identified in the MSTV/NAB study.

It should be emphasized that the alternative DTV allotments requested herein are based on the MSTV/NAB computer study. It is our understanding that that study was based on

spacing considerations between and among DTV and NTSC facilities. Trinity itself was not able to verify these assumptions on its own, since the complex software that the FCC employed to calculate station replication and interference areas in generating its proposed Table of Allotments is not readily accessible to the public. However, Trinity's selections were made to maintain the highest level of LPTV/translator service.

Therefore, based upon the information at hand, it is requested that the Commission assign the new DTV channels proposed herein to the full-service stations listed in the tabulation. This action would serve the public interest, since it provides for the implementation of the FCC's new DTV service while preserving the considerable public service provided by Trinity's presently licensed or authorized translator services in 47 US markets.

I declare under penalty of perjury that the foregoing statements and the attached tabulation are true and correct to the best of my knowledge and belief.



KEVIN T. FISHER

June 10, 1997

TRINITY TRANSLATORS DISPLACED BY PROPOSED DTV ALLOTMENTS

Trinity Translator		NTSC Station		Separation (miles)	Proposed DTV Allotment	
Call Sign	City of License	Call Sign	City of License		FCC	TBN
K20CZ	Bullhead City, Ariz.	KMOH-TV	Kingman, Ariz.	26	19	49
		KUPN	Las Vegas, Nev.	52	20	29
K33DN	Denver, Colo.	KDVR	Denver, Colo.	20	32	23
		KWGN	Denver, Colo.	20	34	68
K55CN	Bakersfield, Calif.	KUZZ-TV	Bakersfield, Calif.	0	55	6
W52CN	Port Charlotte, Fla.	WWSB	Sarasota, Fla.	44	52	5
		WINK-TV	Fort Myers, Fla.	24	53	17
W46BZ	Waycross, Ga.	WVAN-TV	Savannah, Ga.	72	46	43
K53FF	Coeur D'Alene, Ida.	KXLY-TV	Spokane, Wash.	15	54	42
K25EV	Twin Falls, Ida.	KIPT	Twin Falls, Ida.	0	24	32
W34AY	Champaign, Ill.	WILL-TV	Urbana, Ill.	30	33	32
W29BN	Elgin, Ill.	WMAQ-TV	Chicago, Ill.	38	29	68
W36AO	Palatine, Ill.	WJYS	Hammond, Ind.	14	36	64
K58BX	Davenport, Iowa	WHBF-TV	Rock Island, Ill.	0	58	3
K52FN	Muscatine, Iowa	KCRG-TV	Cedar Rapids, Iowa	72	52	41
K19DM	Alexandria, La.	KLTM-TV	Monroe, La.	66	19	34
K56DR	Baton Rouge, La.	KLFY-TV	Lafayette, La.	63	56	59
K27EF	Monroe, La.	KTVE	El Dorado, Ark.	30	27	32
W17BF	Bangor, Me.	WCBB	Augusta, Me.	60	17	32
W19BL	Dover, Me.	WABI-TV	Bangor, Me.	37	19	31
W14BO	Medway, Me.	WVIL-TV	Bangor, Me.	58	14	36
W29BH	Biloxi, Miss.	WVUE	New Orleans, La.	63	29	41
K52DH	Springfield, Mo.	KOLR	Springfield, Mo.	24	52	47

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Trinity Translator		NTSC Station		Separation (miles)	Proposed DTV Allotment	
Call Sign	City of License	Call Sign	City of License		FCC	TBN
K34BR	St. Charles, Mo.	KSDK	St. Louis, Mo.	22	35	50
W36BJ	Atlantic City, N. J.	WMGM-TV	Wildwood, N. J.	24	36	39
W14AZ	Glens Falls, N. Y.	WNYT	Albany, N. Y.	40	15	60
W41AE	Utica, N. Y.	WNPE-TV	Watertown, N. Y.	60	41	46
W59BA	Goldsboro, N. C.	WUNC-TV	Chapel Hill, N. C.	74	59	63
W21BL	Jacksonville, N. C.	WYDO	Greenville, N. C.	48	21	46
W32AR	Mansfield, Ohio	WEAO	Akron, Ohio	62	32	63
W21AI	Portsmouth, Ohio	WAOM	Morehead, Ky.	38	21	28
W47BC	Springfield, Ohio	WWHO	Chillicothe, Ohio	47	46	60
W36AY	Zanesville, Ohio	WOUC-TV	Cambridge, Ohio	37	35	54
		WTTE	Columbus, Ohio	53	36	19
K45ER	Tahlequah, Okla.	KAFT	Fayetteville, Ark.	55	45	10
W52BO	Meadville, Pa.	WICU-TV	Erie, Pa.	31	52	42
W18BF	Anderson, S. C.	WNEH	Greenwood, S. C.	21	18	58
W40AW	Beaufort, S. C.	WSAV-TV	Savannah, Ga.	40	39	43
		WTAT-TV	Charleston, S. C.	71	40	22
K20DA	Aberdeen, S. Dak.	KJRE	Ellendale, N. Dak.	60	20	29
K27DB	Madison, S. Dak.	KDLT	Mitchell, S. Dak.	24	26	59
W31AS	Morristown, Tenn.	WVLT	Knoxville, Tenn.	36	30	58
		WBIR-TV	Knoxville, Tenn.	37	31	63
K46DL	Kingsville, Texas	KIII	Corpus Christi, Texas	25	47	35
K33CK	San Antonio, Texas	KVUE-TV	Austin, Texas	60	33	38
K20BW	San Antonio, Texas	KLRN	San Antonio, Texas	18	20	44
K19DF	San Angelo, Texas	KIDY	San Angelo, Texas	0	19	25
W16AL	Burlington, Vt.	WWNY	Burlington, Vt.	4	16	13
W32BA	Lynchburg, Va.	WWIR-TV	Charlottesville, Va.	66	32	43

SMITH AND FISHER

<u>Trinity Translator</u>		<u>NTSC Station</u>		<u>Separation (miles)</u>	<u>Proposed DTV Allotment</u>	
<u>Call Sign</u>	<u>City of License</u>	<u>Call Sign</u>	<u>City of License</u>		<u>FCC</u>	<u>TBN</u>
K55EB	Spokane, Wash.	KXLY-TV	Spokane, Wash.	18	54	42
		KHQ-TV	Spokane, Wash.	10	55	43
		KCDT	Coeur D'Alene, Ida.	28	56	45
K34EM	Wenatchee, Wash.	KAPP	Yakima, Wash.	65	34	44
W39AZ	Parkersburg, W. Va.	WKRP-TV	Charleston, W. Va.	66	39	36
W19BH	Janesville, Wisc.	WMTV	Madison, Wisc.	25	19	59
		WHA-TV	Madison, Wisc.	35	20	38